



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, MNSD, FF, MNDC, MND

### Introduction

This hearing dealt with cross applications. The landlord has filed an application seeking a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The tenants have filed an application seeking the return of double their security deposit. The landlord participated, the tenants did not. Both parties were provided with today's date, time and pass code to access the hearing. The hearing proceeded in the tenants' absence. The landlord gave affirmed evidence.

### Issue to be Decided

Is either party entitled to a monetary order as claimed?

### Background, Evidence and Analysis

The landlord's undisputed testimony is as follows.

The tenancy began on July 1, 2011 and ended on August 30, 2013. The tenants were obligated to pay \$904.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$425.00 security deposit. Condition inspection reports were conducted at move in and move out.

I address the landlord's claims and my findings around each as follows:

The landlord is seeking \$880.00 for damages to the unit as a result of the tenants. The landlord stated that the unit was fully renovated prior to these tenants moving in. The landlord stated that due to the negligence and mistreatment of the tenants the landlord incurred over \$1100.00 in costs. The landlord had the preceding tenant corroborate his testimony. The landlord provided documentation and photos to support his claim. I am satisfied that the landlord is entitled to \$880.00.

As the landlord has been successful in his application he is entitled to the recovery of the \$50.00 filing fee.

The tenants chose not to participate in the conference and did not provide sufficient disputing evidence; accordingly I dismiss their application in its entirety without leave to reapply.

### Conclusion

The landlord has established a claim for \$930.00. I order that the landlord retain the \$425.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$505.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

The tenants' application is dismissed in its entirety without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: December 03, 2013

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Residential Tenancy Branch

